

United States District Court

NORTHERN

DISTRICT OF

UNITED STATES OF AMERICA

V.

LARRY CASTLEBERRY

COMPLAINT

CASE NUMBER: 3-14-MJ- 670 BK

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
SEP 30 2014
TEXAS
CLERK, U.S. DISTRICT COURT
By _____
Deputy *[Signature]*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 29, 2014, in the Dallas Division of the Northern District of Texas, defendant(s) did,

intentionally and knowingly take by force and violence and intimidation United States currency belonging to and in the care, custody, control and management and possession of bank employees at Bank of America, 5116 Greenville Avenue, Texas, the deposits of which were then insured by the Federal Deposit Insurance Corporation,

in violation of Title 18, United States Code, Section(s) 2113.

I further state that I am a(n) Special Agent with the Federal Bureau of Investigation (FBI) and that this complaint is based on the following facts:

See attached Affidavit of Special Agent Rodrigo R. Gonzalez III, (FBI) which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: XX Yes No

7/30/14
Signature of Complainant
RODRIGO R. GONZALEZ III
Special Agent, FBI

Sworn to before me and subscribed in my presence, on this 30th day of September, 2014, at Dallas, Texas.

RENÉE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer

Renee Harris Toliver
Signature of Judicial Officer

AFFIDAVIT

I, Rodrigo R. Gonzalez III, Special Agent with the Federal Bureau of Investigation, in Dallas, Texas, being duly sworn, state:

I have been employed as a Special Agent with FBI since 2002. I have conducted investigations involving bank robberies, Hobbs Act violations, kidnappings, and other violent crimes. I am familiar with, and have participated in, many methods of investigation, including, but not limited to, electronic surveillance, visual surveillance, general questioning of witnesses, use of search warrants, use of confidential informants, use of pen registers, and use of undercover agents. I have been involved in both state and federal drug investigations, including making arrests and executing federal search warrants. As a result, I am familiar with the federal laws dealing with violent crimes.

The information contained in this affidavit is based on my personal knowledge and experience, information provided by other law enforcement officers, and information provided by reliable sources and co-conspirators whose information has been corroborated by myself and other law enforcement officers. This affidavit is being submitted for the purpose of securing an arrest warrant for Larry Castleberry. This affidavit sets forth the facts that I believe are necessary to establish probable cause to believe that Castleberry has been involved in the aggravated robbery of the Bank of America in violation of 18 U.S.C. § 2113.

Factual Background

On September 29, 2014, the Bank of America located at 5116 Greenville Avenue, Dallas, Texas (hereinafter Bank of America) was robbed. The Bank of

America is located in the Northern District of Texas, Dallas Division, and is insured by the FDIC.

The victim bank teller provided the following statement: She was working at teller station number one inside the bank when a white male walked into the bank holding a note in his hand. The man walked up to the teller station and passed a blue note through the security window to her. The demand note read something to the effect of, "This is a holdup. I need 1050. Don't hit the alarm." The teller feared for her safety and the safety of the other employees working in the lobby so she complied with the bank robber's demands. She withdrew money from her teller drawer and passed it to the robber. While the teller was counting the money to give it to him, the robber said, "Quickly, hurry. Just give it to me." After taking the money from the teller, the bank robber exited the bank. The teller hit the alarm and informed her co-workers that she had just been robbed and an employee of the bank contacted police to provide them information about the bank robbery.

The victim teller described the bank robber as a white male, 50 to 60 years of age, heavy build, black and gray shoulder length hair, unshaven beard, wearing a polo shirt with black and green horizontal stripes, sunglasses, and baseball cap. The victim teller did not observe any weapons during the robbery.

A Dallas Police Department police officer was on patrol in the area of the Bank of America when he heard information over the police radio about the bank robbery. The dispatcher provided descriptive information of the suspected bank robber, which included white male, heavy build, and stripped polo shirt. The officer drove his

marked unit in the vicinity of the bank robbery and searched for the robber. The officer proceeded into an apartment complex and observed an individual near a breezeway matching the description of the suspected bank robber. The officer asked the individual if he could talk to him, and the individual responded "no" and ran away from the officer. The officer pursued the suspect and lost him. Other officers arrived at the scene to assist.

The suspect was quickly located attempting to hide in a bush near an apartment. The suspect was detained by the officers. The suspect then attempted to reach into his pocket and said, "Here is your money." The officers, concerned for their safety, ordered the suspect to remove his hands from his pocket and placed hand cuffs on him. The officers removed all items from the suspect's pockets, which included \$13,000 in \$100 and \$50 bills. No weapons were recovered from the suspect. The suspect was identified as Larry Castleberry, and he was transported to Dallas Police Department Headquarters.

The Bank of America branch manager, identified as R. W., was interviewed and provided the following information: On September 29, 2014, the Bank of America was robbed, and at the time of the robbery the bank was insured by the Federal Deposit Insurance Corporation (FDIC). The FDIC certificate number is 3510. An audit of the victim teller's cash drawer was conducted after the robbery and it was determined that the bank robber stole \$13,000 in United States currency from the bank.

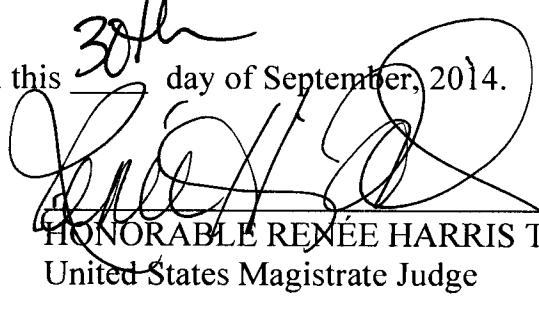
I and Task Force Officer Noe Camacho interviewed Castleberry while he was in custody at the Dallas Police Department Headquarters. Castleberry was advised of his "Miranda" rights utilizing an Advice of Rights form. Castleberry said he understood his rights and signed the consent portion of the form. Castleberry said his father had passed away last Thursday and he was very depressed and stressed from his work at a volunteer center so he began using crack cocaine. He had been on a five day "bender" due to the stress and not being able to travel to Abilene for his father's funeral. Castleberry could not find a ride to the funeral, and his probation officer would not allow him to travel outside of the Dallas area. Castleberry got high on crack cocaine and then got onto a DART metro train. He got off the train and saw the Bank of America. He had a pencil in his pocket, so he wrote the demand note and walked into the bank. At the bank, he gave the demand note to the teller and the teller gave him money. After taking control of the money, he fled the bank. He was going to attempt to stop someone to ask for a ride but was not able to reach a grocery store parking lot before being stopped by a police officer. He attempted to flee but was arrested. Castleberry said he did not want to harm anyone.

Conclusion

Based on the forgoing facts and circumstances, there is probable cause to believe that Castleberry, intentionally and knowingly committed a violation of 18 U.S.C. § 2113, by robbing the Bank of America which was insured by the FDIC and located in the Dallas Division of the Northern District of Texas, and I request that the Court issue a warrant for his arrest for this offense.


RODRIGO R. GONZALEZ III
FBI Special Agent

Subscribed and sworn to before me on this 30th day of September, 2014.


HONORABLE RENÉE HARRIS TOLIVER
United States Magistrate Judge